

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

MELISSA M. OLSON,

Plaintiff,

vs.

KILOLO KIJAKAZI, Acting  
Commissioner of Social Security  
Administration,

Defendant.

CV 22-123-BLG-SPW-TJC


**ORDER**

Based upon the stipulation of the parties (Doc. 12), IT IS HEREBY ORDERED that the Commissioner's final decision is REVERSED and REMANDED for further administrative proceedings under sentence four of 42 U.S.C. § 405(g). On remand, the Administrative Law Judge will:

- (1) Re-assess the claimant's mental impairments at step three in accordance with applicable statutes, regulations, and rulings; and
- (2) Offer the claimant the opportunity for a hearing, take further action to complete the administrative record resolving the above issue, and issue a new decision.

Upon proper application, Plaintiff may seek an award of reasonable attorney fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

DATED this 24<sup>th</sup> day of April, 2023.

  
SUSAN P. WATTERS  
United States District Judge